

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

TUESDAY, March 19, 1985

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Pastor H. Wayne Wolchek of Christ's Church, Madison.

The senate remained standing and Senator Andrea led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 29

Commending Herbert Kohl and Jane and Lloyd Pettit for their contribution to professional athletics in the State of Wisconsin.

By Senators Chvala, Ulichny, Plewa, Lee, Norquist, George and Czarnecki; cosponsored by Representatives Kunicki, M. Coggs, Crawford, Becker, Barrett, Krug, Krusick, Tesmer, Carpenter, Seery, Bell, Notestein, Grobschmidt, S. Coggs and Hauke.

Read and referred to committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 114

Relating to deleting capital gains as a preference for purposes of the minimum tax.

By Senators Ulichny, Roshell, Van Sistine, Feingold, Andrea, Davis, Leean, Lasee, Stitt, Lorman, Hanaway and Engeleiter; cosponsored by Representatives Fergus, Shoemaker, Antaramian, Cowles, J. Young, Hasenohrl, Ladwig, York, Radtke, Wood, Coleman, Lepak.

Goetsch, Schober, Schneiders, Walling, Prosser, Tregoning, Buettner, Vergeront, Huelsman, Rosenzweig, Zeuske, Hubler, Merkt and T. Thompson.

To Joint Survey committee on Tax Exemptions.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to Senate Bill 82

Public Policy Involved

This legislation has been recommended by the Retirement Research Committee. Bills introduced in recent sessions have indicated a perception that communication between the Investment Board and WRS participant groups could and should be improved. The JSCRS approved similar provisions to those found in this bill during the 1983 session--S.B. 575 (1983).

Senate Bill 82 increases the number of WRS participants on the Investment Board from two to three members, and it also increases the number of investment experts on that board from four to five. Accordingly, the ratio of investment experts to non-experts on the Investment Board is changed from 4/3 to 5/4, thus maintaining a majority of investment experts on the investment board.

JOSEPH ANDREA

Co-Chair

JOHN VOLK

Co-Chair

Read and referred to committee on Education and Government Operations.

The committee on Transportation reports and recommends:

Senate Bill 77

Relating to use of flashing red warning lights on school buses.

Passage:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

CARL OTTE

Chair

The committee on Agriculture, Health and Human Services reports and recommends:

TUSIN, JAKE, of Superior, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

CRAIN, JUDY, of Green Bay, as a member of the Medical Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

HILLESTAD, MAE, of Deer Park, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

NEWVILLE, MARLIN, of Barron, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

RHOADES, KATHERINE A., of Wausau, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

RYAN, MARY K., of Madison, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Bill 11

Relating to village regulation of hotels, restaurants, tourist rooming houses, campgrounds, camping resorts, recreational and educational camps, mobile home parks, public swimming pools, counter freezers, retail food processing plants, bakeries and confectionaries.

Concurrence:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Bill 35

Relating to state aid to fairs.

Introduction and adoption of senate amendment 1: Ayes, 7 -- Senators Moen, Otte, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 1 -- Senator Norquist.

Introduction and adoption of senate amendment 2: Ayes, 7 -- Senators Moen, Otte, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 1 -- Senator Norquist.

Passage as amended:

Ayes, 7 -- Senators Moen, Otte, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 1 -- Senator Norquist.

Senate Bill 75

Relating to investigations by the medical examining board of unprofessional conduct, reporting malpractice claims to the medical examining board and access to patient compensation panel records by the medical examining board.

Passage:

Ayes, 7 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf and Rude;

Noes, 1 -- Senator Lorman.

Senate Joint Resolution 5

Relating to requesting a legislative council study of the mental health services provided to prisoners.

Adoption:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

RODNEY C. MOEN
Chair

The committee on Senate Organization reports and recommends:

Senate Joint Resolution 26

Relating to observing the week of April 14 to 20, 1985, as Victims Rights Week.

Adoption:

Ayes, 5 -- Senators Cullen, Risser, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

The committee on Education and Government Operations reports and recommends:

ALBERT, FRITZ, of Madison, to the Educational Communications Board, to serve a term to expire May 1, 1988.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;
Noes, 0 -- None.

KLEIN, PHILIP E., of McFarland, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1987.

Confirmation:
Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;
Noes, 0 -- None.

ROSE, JUDITH L., of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1988.

Confirmation:
Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;
Noes, 0 -- None.

PARKS, EUGENE, of Madison, as a member of the Personnel Board, to serve for the term ending July 1, 1986.

Confirmation:
Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;
Noes, 0 -- None.

LINTON, MARY L., of Milwaukee, as a member of the Personnel Board, to serve for the term ending July 1, 1989.

Confirmation:
Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;
Noes, 0 -- None.

GAGNARD, ALICE LOIS, of Milwaukee, as a member of the Educational Communications Board, to serve a term ending May 1, 1988.

Confirmation:
Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;
Noes, 0 -- None.

JOSEPH J. CZARNEZKI
Chair

PETITIONS AND COMMUNICATIONS

Senate Petition 3

A petition by 625 residents of the state of Wisconsin in support of a Wisconsin Lottery to ease the tax burden of each Wisconsin taxpayer.

By Senator Theno.

Read and referred to Labor, Business, Veterans Affairs and Insurance.

State of Wisconsin
Department of State

March 12, 1985

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

BEATTY, FRED, 14 W. Mifflin St., Ste. 310, Madison, WI 53703 (608) 258-8555

1) Fair Liquidation of Waste (FLOW), Attn: Margaret Farrow, P.O. Box 28, New Berlin, WI 53151 (all areas of legislative action affecting directly or indirectly the interests of the citizens of FLOW's member communities, including but not necessarily limited to the construction, operation, management and financing of the Milwaukee Metropolitan Sewerage District and system.)

BOULLION, JAMES, 14 S. Carroll St., Madison, WI 53703 (608) 257-4664

1) Fair Liquidation of Waste (FLOW), Attn: Margaret Farrow, P.O. Box 28, New Berlin, WI 53151 (414) 782-7600 (all areas of legislative action affecting directly or indirectly the interests of the citizens of FLOW's member communities, including but not necessarily limited to the construction, operation, management and financing of the Milwaukee Metropolitan Sewerage District and system.)

BROYDRICK, WILLIAM, 817 N. Marshall St., Milwaukee, WI 53202 (414) 224-9393

1) Wisconsin Municipal Judges Assn., 10533 W. National Ave., Milwaukee, WI 53227 (414) 6800 (municipal law administration); 2) Wisconsin Reserve Judges Assn., 744 N. 4th St., Ste. 540, Milwaukee, WI 53203 (414) 271-8985 (judicial procedures, compensation); 3) Touche Ross & Co., 250 E. Wisconsin Ave., Milwaukee, WI 53202 (414) 276-0180 (all aspects of state administration and statutes).

BUCKLEY, JAMES P., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333

1) Wisconsin Speech-Language-Hearing Assn., P.O. Box 93, Pewaukee, WI 53072 (public instruction, health and social services); 2) Wisconsin School Social Workers Assn., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (public instruction, regulation and licensing, health and social services); 3) Wisconsin School Psychologists Assn., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (public instruction, regulation and licensing); 4) Wisconsin Installment Bankers Assn., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (banking and finance, insurance); 5) Wisconsin Federation of Pupil Services Assn., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (public instruction); 6) Wisconsin Dental Hygienists Assn., 602

W. Crocker St., Wausau, WI 54401 (715) 675-9243 (regulation and licensing, health and social services); 7) Wisconsin Beverage Licensees Assn., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (excise and fees, revenue); 8) Wisconsin Assn. for Counseling and Development, Divine Word Seminary, East Troy, WI 53120 (414) 642-3300 (education, regulation and licensing, public instruction); 9) School Nurses of Wisconsin, 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (education and health).

COOK, SHARON D., % Cook & Franke, 660 E. Mason, Milwaukee WI 53202 (414) 271-5900

1) Northwestern National Insurance Co., Attn: Donald L. Bowen, 731 N. Jackson St., P.O. Box 1635, Milwaukee, WI 53202 (414) 765-8444 (insurance and surety issues).

COUGHLIN, JOHN T., % Mulcahy & Wherry, 131 W. Wilson, Ste. 202, P.O. Box 1110, Madison, WI 53701 (608) 251-4670

1) Fair Liquidation of Wastes (FLOW), P.O. Box 28, New Berlin, WI 53151 (414) 782-6700 (legislative and administrative action concerning the budget and operations of the Milwaukee Metropolitan Sewerage District (MMSD)).

DEWITT, JACK R., 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891

1) Republic Airlines, Inc., Attn: Paul C. Jasinski, General Counsel, 7500 Airline Dr., Minneapolis, MN 55450 (612) 726-7411 (any function or activity of any branch, department or phase of federal, state or local government; agriculture, outdoors or environment; taxation; regulation of business, finance or insurance; or other topics pertaining to the general public health or welfare).

GERRARD, M. WILLIAM, 7 N. Pinckney St., Ste. 50, Madison, WI 53703 (608) 256-1155

1) Wisconsin Asphalt Pavement Assn., D. L. Gasser, Ste. 529, 25 W. Main St., Madison, WI 53703 (608) 256-1155 (transportation); 2) G. Heilman Brewing Co., Attn: Randy Smith, 100 Harborview Plaza, La Crosse, WI 54601 (608) 785-3450 (beverage alcohol regulation as well as monitoring all legislative/regulatory activity affecting the business of principal).

GOYKE, GARY R., 22 N. Carroll St., Madison, WI 53703 (608) 251-5997

1) Wisconsin Council of the Blind, 1245 E. Washington Ave., Madison, WI 53703 (608) 255-1166 (any legislative or administrative action which affects the blind); 2) FMC Corp., 2000 Market St., Philadelphia, PA 19103 (215) 299-6871 (any function or activity of any branch, department or phase of federal, state or local government; agriculture, outdoors or environment; taxation; regulation of business, finance or insurance; or other topics pertaining to the general public health or welfare); 3) Wisconsin Community Action Program Assn., Inc., 30 W. Mifflin St., Ste. 502, Madison, WI 53703 (608) 256-763 (Dept. of Health and Social Services); 4) Wisconsin Commercial Fishermen, Inc.,

3324 Glendale Ave., Green Bay, WI 54303 (414) 434-2022 (commercial fishing industry); 5) Wisconsin Hospital Assn., 5721 Odana Rd., Madison, WI 53719 (608) 274-1820 (health care/hospital issues); 6) Wisconsin Horse Foundation, P.O. Box 265, Appleton, WI 54912-0265 (414) 731-4157 (pari-mutuel horse racing); 7) Wisconsin Coalition for Equitable Retirement, Paul Schlindwein, Pre., 715 W. 4th Ave., Oshkosh, WI 54901 (414) 426-0712 (employee trust funds, state teachers retirement board, WI retirement fund board); 8) Wisconsin Child Support Enforcement Assn., Rm. 207, Courthouse, Superior, WI 54880 (715) 394-0315 (child support legislation); 9) Northeastern Wisconsin Commercial Fisheries Assn., 11060 Old Stage Rd., Sister Bay, WI 54234 (414) 854-4600 (commercial fishing industry).

HANSON, RICHARD E., % Northern States Power Co., 100 N. Barstow St., Eau Claire, WI 54701 (715) 839-2497

1) Northern States Power Co. (WI), Attn: E.M. Theisen, 100 N. Barstow St., Eau Claire WI 54701 (715) 839-2578.

HARNISCH, THOMAS, 44 E. Mifflin St., Ste. 301, Madison, WI 53703 (608) 255-4440

1) Fireman's Fund Employers Insurance Co., WEG Blvd. P.O. Box 1100, DePere, WI 54115 (800) 558-4444 (insurance rules and statutes).

HOUGH, JAMES E., 1 S. Pinckney St., Ste 818, Madison, WI 53703 (608) 258-9506

1) Wisconsin Recreational Properties, Attn: Richard A. Howarth, Jr., 39 N. Washington St., Elkhorn, WI 53121 (414) 723-3660 (functions and activities of state and local government and units thereof, environmental, taxation, regulation of business and finance, economic development, education); 2) Wisconsin Council for Independent Education, MBTI Business Training Institute, Attn: J. Michael Bartels, 820 N. Plankinton Ave., Milwaukee, WI 53202 (414) 272-2192 (same as above); 3) Rubidell Recreation, Inc., Attn: Richard A. Howarth, Jr., 39 N. Washington St., Elkhorn, WI 53121 (414) 723-6660 (same as above).

KUEHN, RONALD W., 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891

1) Republic Airlines, Inc., Attn: Paul C. Jasinski, General Counsel, 7500 Airline Dr., Minneapolis, MN 55450 (612) 726-7411 (any function or activity of any branch, department or phase of federal, state or local government; agriculture, outdoors or environment; taxation; regulation of business, finance or insurance; or other topics pertaining to the general public health or welfare); 2) Becker C.P.A. Review Courses, 15760 Ventura Blvd., Ste. 1101, Encino, CA 91436 (818) 981-3233 (same as above).

MICHAL, MARY, 44 E. Mifflin St., Ste. 301, Madison, WI 53703 (608) 255-4440

1) Fireman's Fund Employers Insurance Co., WEG Blvd., P.O. Box 1100, De Pere, WI 54115 (800) 558-4444 (insurance rules and statutes).

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PETERSON, RICHARD E., RR#1, Box 67, Weyauwega, WI 54983 (414) 867-3513

1) Wisconsin Suburban League, 1649 S. Webster Ave., Green Bay, WI 54301 (414) 432-5291 Attn: Clarence Matuzek (all legislation relating to town government).

PHILLIPS, JOE, Pres., Torii Advertising, Inc., 5645 S. 108th St., Hales Corners, WI 53130 (414) 529-4702

1) Wisconsin Fireworks Assn., Attn: Larry Cornellier, 105 Dearborn St., Beloit WI 53511 (608) 365-3999 (industry, labor and human relations, consumer affairs).

REMSIK, JEFF, 22 N. Carroll St., Ste. 303, Madison, WI 53703 (608) 251-1311

1) Fair Liquidation of Waste (FLOW), Attn: Margaret Farrow, P.O. Box 28, New Berlin, WI 53151 (414) 782-7600 (all areas of legislative action affecting directly or indirectly the interests of the citizens of FLOW's member communities, including but not necessarily limited to the construction, operation, management and financing of the Milwaukee Metropolitan Sewerage District and system.)

SAMPSON, HOWARD L., Ass't Sup't for Business Services, 545 W. Dayton St., Madison, WI 53703 (608) 266-6250

1) Madison Metropolitan School District Board of Education, 545 W. Dayton St., Madison, WI 53703 (608) 266-6250 (public education).

SOSNOWSKI, LEONARD S., % Foley & Lardner, P.O. Box 1497, Madison, WI 53701-1497 (608) 257-5035

1) Wisconsin Public Service Corp., 700 N. Adams St., Green Bay, WI 54305 (414) 433-1598 (counties and municipalities, taxation, public service commission, Dept. of Revenue).

THOMAS, JOSEPH F., 44 E. Mifflin St., Ste. 301, Madison, WI 53703 (608) 255-4440

1) Fireman's Fund Employers Insurance Co., WEB Blvd., P.O. Box 1100, DePere, WI 54115 (800) 558-4444 (insurance rules and statutes).

WEISENSEL, RUSSEL R., % WI Agri-Business Council, 1400 E. Washington Ave., Ste. 185, Madison, WI 53703-3041 (608) 255-7976

1) Wisconsin Agri-Business Council, 1400 E. Washington Ave., Ste. 185, Madison, WI 53703-3041 (608) 255-7976 (all actions directly and indirectly affecting agriculture, including silviculture, and business).

WIMMER, JR., JAMES W., P.O. Box 1482, Madison, WI 53701 (608) 256-5223

1) Baer, Stearns & Co., Three First National Plaza, Chicago, IL 60602 (312) 580-4000 (any function or activity of any branch, department or phase of federal, state or local government, agriculture, outdoors or environmental taxation, regulation of business, finance

or insurance; or other topics pertaining to the general public health or welfare).

State of Wisconsin
Claims Board

March 15, 1985

Don Schneider
Senate Chief Clerk

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on March 1, 1985.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD D. MAIN
Secretary

STATE OF WISCONSIN
CLAIMS BOARD

The State Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin on March 1, 1985 upon the following claim:

THE BOARD FINDS:

Alsum Transport, Inc., of Friesland claims \$960.90 for damages to their truck allegedly incurred at the entrance of the Waupun Correctional Institution on October 9, 1983. When the Institute's entrance gate was opened, a gust of wind allegedly caught the gate causing it to hit the side door of the claimant's truck. Claimant received \$460.90 from its insurance company, Northriver Insurance, for repair of the damages. Consistent with a long-standing policy of this Board concerning subrogation damages, the Board concludes \$460.90 of this claim should be denied. The Board concludes the claim in the reduced amount of \$500, the amount of claimant's insurance deductible, should be paid based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Health and Social Services appropriation s. 20.435(3)(a), Stats.

Dated at Madison, Wisconsin, this 15th day of March, 1985.

GARY R. GEORGE
Senate Finance Committee
MARLIN D. SCHNEIDER
Assembly Finance Committee
JUAN B. COLAS
Representative of Governor

EDWARD D. MAIN
Representative of Secretary of
Administration

WILLIAM H. WILKER
Representative of Attorney
General

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 12, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BARBARA NICHOLS of Madison as the Secretary of the Department of Regulation and Licensing pursuant to the statute governing, to serve a term to expire March 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Education and Government Operations.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 12, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RALPH J. TENUTA of Kenosha to the Banking Review Board pursuant to the statute governing, to serve a term to expire May 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Banking, Commercial Credit and Taxation.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 12, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HELEN JACOBS of Milwaukee to the Natural Resources Board pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 12, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TOM LAWIN of Bloomer to the Natural Resources Board pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 12, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CANDY KENDING of Bennett to the Educational Communications Board pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Education and Government Operations.

RECESS

10:24 A.M.

The senate reconvened.

CALENDAR OF MARCH 19

CRAIN, JUDY, of Green Bay, as a member of the Medical Examining Board, to serve for the term ending July 1, 1988.
Read.

HILL, JAMES, of La Crosse, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1988.
Read.

HILLESTAD, MAE, of Deer Park, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 1988.
Read.

MUNTS, MARY LOU, of Madison, as a member of the Public Service Commission, to serve for the term ending March 1, 1991.

Read.

NEWVILLE, MARLIN, of Barron, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1988.

Read.

RHOADES, KATHERINE A., of Wausau, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1988.

Read.

RYAN, MARY K., of Madison, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1988.

Read.

SEAHOLM, DONALD, of Thorp, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1988.

Read.

TUSIN, JAKE, of Superior, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1988.

Read.

By request of the president of the senate, with unanimous consent, the appointments were considered enmasse.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leraan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 84-236

AN ORDER to renumber NR 25.02 (16) to (29); to repeal and recreate NR 25.04; and to create NR 25.02 (16), relating to commercial fishing on outlying waters.

Submitted by Department of Natural Resources.

Report received from agency, March 18, 1985.

Referred to committee on Energy and Environmental Resources, March 19, 1985.

Clearinghouse Rule 85-1

AN ORDER to repeal Ag 107.01 (2) and (10), 107.03 (1) (b) 2, 107.04, 107.06 (3) and 107.07; to renumber Ag 107.01 (1) and (3) to (9), 107.03 (1) (b) 1, 107.05, 107.06, 107.08 and 107.09; to amend Ag 107.01 (2), (3), (12) and (15), 107.02 (3), 107.03 (1) (a) and (b), (2) (c) and (3) (a) and (b) Note, 107.08 and 107.09 (1) and (2); and to create Ag 107.01 (1), (4), (7), (8), (10), (11), (13), (14) and (17), 107.04 to 107.07 and 107.11, relating to sampling and testing of milk and cream.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, March 15, 1985.

Referred to committee on Agriculture, Health and Human Services, March 19, 1985.

Clearinghouse Rule 85-2

AN ORDER to create chapter Ag 35, relating to food establishment licensing and inspection by cities and counties under agency agreements with the department of agriculture, trade and consumer protection.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, March 15, 1985.

Referred to committee on Agriculture, Health and Human Services, March 19, 1985.

The committee on Transportation reports and recommends:

Clearinghouse Rule 84-226

AN ORDER to repeal Trans 139.04 (5) (c) and 139.08; to renumber Trans 139.04 (5) (d); and to amend Trans 139.01 (1), 139.04 (5) (b) and (6) (b) and (c) 3 and 139.05 (5) (c), relating to motor vehicle trade practices.

Submitted by Department of Transportation.

No objection:

Ayes, 6 -- Senators Otte, Moen, Roshell, Andrea, Kreul and Theno;

Noes, 0 -- None.

CARL OTTE

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Clearinghouse Rule 84-200

AN ORDER to repeal Eth 1.01, 1.02 (2), 2.07 (d) and (e), 2.09, 3.02 and 3.03 and chs. Eth 4 and 6; to renumber Eth 2.045 (1) to (4); to renumber and amend Eth 1.02 (intro.) and (1) and 2.07 (1) (intro.) and (a) to (c) 3; to amend Eth 2.045 (intro.), 3.01 and 3.30; to repeal and recreate Eth 2.08, 3.04 and 5.01; and to create Eth 2.045 (2), relating to the code of ethics for public officials and employees.

Submitted by Ethics Board.

No action taken.

LYNN ADELMAN

Chair

JOURNAL OF THE SENATE [March 19, 1985]

The committee on Energy, and Environmental Resources reports and recommends:

Clearinghouse Rule 84-142

AN ORDER to repeal and recreate NR 25.07 (1) (a), relating to allocation of individual licensee catch quotas for lake trout on Lake Superior.

Submitted by Department of Natural Resources.
No action taken.

Clearinghouse Rule 84-143

AN ORDER to renumber NR 25.07 (2) (a) 3 d; to amend NR 25.07 (1) (a) 3 c; and to create NR 25.07 (2) (a) 3 d, relating to the allocation of the commercial chub harvest in southern Lake Michigan.

Submitted by Department of Natural Resources.
No action taken.

Clearinghouse Rule 84-170

AN ORDER to amend NR 19.09 (2m) (c), (d), (g), (h) and (k); and to create NR 19.09 (2m) (aa), relating to lakes subject to a closed season for the harvesting of wild rice.

Submitted by Department of Natural Resources.
No action taken.

Clearinghouse Rule 84-171

AN ORDER to amend NR 212.09 Note; and to create NR 212.70 and Tables 1-p and 2-p, relating to water quality related effluent limitations for the Peshtigo River.

Submitted by Department of Natural Resources.
No action taken.

Clearinghouse Rule 84-178

AN ORDER to amend NR 19.09 (3), relating to closed hours for the harvesting of wild rice.

Submitted by Department of Natural Resources.
No action taken.

Clearinghouse Rule 84-224

AN ORDER to repeal and recreate chapter 200, relating to applications for Wisconsin pollutant discharge elimination system permits.

Submitted by Department of Natural Resources.
No action taken.

JOE STROHL
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Clearinghouse Rule 83-182

AN ORDER to repeal chs. UWS 7 and 14, UWS 8.01 (1) (a) 1 and 2 and (b) 4, 8.02 (1) (f), (i) and (j) and 8.03 (1) (d) to (h); to renumber UWS 8.02 (1) (a) to (c) and (h); to renumber and amend UWS 8.01 (1) (intro.), (a) (intro.) and (b) 1, 2 and 3, 8.02 (1) (intro.), (d), (e) and (g), 8.03 (1) (a) to (c), 8.05 (intro.) and 8.06; to repeal and recreate UWS 8.04; and to create UWS 8.01 (3), 8.02 (2), (3), (6), (7), (9) to (12) and (15), 8.03 (1) and (3) to (6), 8.035, 8.055 and 8.06, relating to the code of ethics for unclassified staff in the university of Wisconsin system.

Submitted by University of Wisconsin System.

Objection:

Ayes, 3 -- Senators Adelman, Feingold and Chvala;
Noes, 2 -- Senator Hanaway and Davis.

LYNN ADELMAN
Chair

CALENDAR OF MARCH 19

Senate Joint Resolution 5

Relating to requesting a legislative council study of the mental health services provided to prisoners.

Read.

Adopted.

Senate Joint Resolution 26

Relating to observing the week of April 14 to 20, 1985, as Victims Rights Week.

Read.

Adopted.

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 29** was withdrawn from the committee on Senate Organization and taken up at this time.

Senate Joint Resolution 29

Commending Herbert Kohl and Jane and Lloyd Pettit for their contribution to professional athletics in the State of Wisconsin.

Read.

By request of Senator Cullen, with unanimous consent, the entire membership of the Senate was made a co-author of **Senate Joint Resolution 29**.

The question was: Adoption of **Senate Joint Resolution 29**?

Adopted.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

Senate Bill 8

Relating to charges for the cost of care of children in residential facilities.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 8** was referred to joint committee on Finance.

Senate Bill 12

Relating to the division of the real estate transfer fee.
Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 12** was referred to joint committee on Finance.

Senate Bill 17

Relating to authorizing a board of harbor commissioners to acquire, charter and operate vessels for use in foreign and domestic commerce.

Read a second time.

By request of Senator Theno, with unanimous consent, he was made a co-author of **Senate Bill 17**.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 17

Read a third time and passed.

Senate Bill 29

Relating to creating and discontinuing county assessor systems.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 29

Read a third time and passed.

Senate Bill 35

Relating to state aid to fairs.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 35

Read a third time and passed.

Senate Bill 75

Relating to investigations by the medical examining board of unprofessional conduct, reporting malpractice claims to the medical examining board and access to patient compensation panel records by the medical examining board.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 75** was referred to joint committee on Finance.

Senate Bill 76

Relating to various changes in the unemployment compensation law, providing for a study, granting rule-making authority and making appropriations.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 76** was referred to joint committee on Finance.

Assembly Bill 11

Relating to village regulation of hotels, restaurants, tourist rooming houses, campgrounds, camping resorts, recreational and educational camps, mobile home parks, public swimming pools, counter freezers, retail food processing plants, bakeries and confectionaries.

Read a second time.

By request of Senator George, with unanimous consent, **Assembly Bill 11** was referred to joint committee on Finance.

Assembly Bill 21

Relating to authorizing the issuance of an intoxicating liquor wholesaler's permit to certain breweries.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 21

Read a third time and concurred in.

MOTIONS

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 24** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to the committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Hanaway, with unanimous consent, the senate adjourned in honor of Mordecai and St. Patrick.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 66** by Senator Theno.

Senate amendment 1 to **Senate Bill 48** by Senator Rude.

Senate substitute amendment 1 to **Senate Bill 74** by Senator Van Sistine.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, March 21.

10:47 A.M.